

THE ARIZONA CITIZEN.

Vol. VI.

Tucson, Pima County, Arizona, Saturday, September 2, 1876.

No. 48.

THE ARIZONA CITIZEN.

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Twelve lines in this type, one sq.
line square, twelve lines, one time, \$3.00
Each subsequent insertion, 1.50
Professional cards, per quarter, 8.00
Plain death notices, free. Ordinary re-
marks in prose, 50c per square; in poetry,
50c per line.

Business advertisements at Reduced
rates. Office Northwest corner Main and
Congress streets.

AUTHORIZED AGENTS FOR THE CITIZEN:
W. N. Kelly, newsdealer at Prescott, has
the CITIZEN for sale, and has authority to
receive and receipt for money due us.
L. P. Fisher, 20 and 21 New Merchants'
Exchange, is our authorized agent in San
Francisco.
James Abegg, Yuma.
E. Irvine, Phoenix.
WASSON & HARRIS, Proprietors.

J. C. HANDY, M. D.
TUCSON, ARIZONA.
COUNSELOR OF CHURCH AND CONVENT.

H. N. ALEXANDER,
YUMA, ARIZONA.
ATTORNEY AT LAW.
Will practice in all Courts in this Territory.

PAUL WEBER,
ATTORNEY AND COUNSELOR AT LAW.
NOTARY PUBLIC.
Mineral Park, Mohave County, Arizona.

JAMES ABEGG,
MAINS STREET, YUMA, ARIZONA.
News Depot, Book and Cigar Store, Con-
fectionery and Fancy Goods.

JOHN E. NAYLOR,
ATTORNEY AND COUNSELOR AT LAW
AND NOTARY PUBLIC.
Phoenix, Maricopa County, Arizona.

THEO. F. WHITE,
CIVIL ENGINEER AND SURVEYOR.
Deputy Surveyor of Mineral Lands,
Tucson, Arizona. 50-17

WILLIAM J. OSBORN,
NOTARY PUBLIC AND CONVEYANCER.
Special assistance given in obtaining pa-
tents for Mining and Preemption claims.
Office south side Congress street, Tucson
Arizona.

W. W. CURTISS,
(Late Chief Clerk General Land Office.)
No. 709 9th St., Corner G,
WASHINGTON, D. C.
Will attend to the prosecution of cases be-
fore the General Land Office and all the
Departments of the Government.

J. M. BERGER,
WATCHMAKER AND JEWELER.
Tucson, Arizona.
I have every facility to do all kinds of
work in my line, and at reasonable prices.
My work is warranted for one year.
Shop on Congress street, opposite L. M.
Jacobs & Co's store. 20

FARLEY & POMROY,
ATTORNEYS AND COUNSELORS AT LAW.
Tucson, Arizona.
Notaries Public. Office United States
District Attorney. Office on Congress
street.

R. A. WILBUR, M. D.
CORNER PLEASANT AND CONVENT STS.
TUCSON, ARIZONA.
Will resume the practice of his profession
Thursday, July 1. Will give attention to
preference to diseases of women and chil-
dren.
Office hours from 9 a. m. to 3 p. m. and
evening.

S. W. Carpenter,
RECORDER OF PIMA COUNTY.
Office in the Court-house, Tucson.

**NOTARY PUBLIC AND CONVEYAN-
CER.** Notice of location of Ranches,
Water Rights, Mines and Mills, and
Deeds, Mortgages, Bills of Sale and all
other Legal Documents executed properly
and promptly at moderate charges.
Records searched FREE of charge.

The Elliot House.
Florence, Pinal County, Arizona.
W. V. ELLIOT, Proprietor.

THE ABOVE NAMED HOUSE is
amply prepared to accommodate the
traveling and home public, and attention
is called to the fact that the proprietor
intends to merit patronage
by satisfying his customers with the best
of meals.
The bar is always supplied with
CHOICE LIQUORS AND CIGARS.
March 4. 22-17

Drug Store.
I would respectfully invite the public to
call and examine my goods and prices at
THE SIGN OF THE MORTAR,
On Congress street, at my old stand.

Will give prompt attention to compound-
ing physicians prescriptions, and all or-
ders from the town and surrounding
country. CHARLES H. FRYERS.

Tucson Tin Shop.
FRANCISCO PADRES, Proprietor.
Main Street, next door North of Velasco's.
Largest Assortment of Wares in
Tucson.
Everything New and of the Best Material.
ALL WORK WARRANTED.

THE UNDERSIGNED HAS OPENED
a new Tin and Hardware Shop on
Main Street, Tucson, just north of Velas-
co's store. The material on hand has
been selected with great care, and with ex-
traordinary view to this market. Every order
for work will be carefully executed by the
best workmen and all charges will be as
low as possible.

60-Call and examine the stock, wa-
June 10. 30-17. FRANCISCO PADRES

THE CENSUS FRAUD. Suit in District Court—Temporary Restraining Order Granted.

In the District Court First Judicial
District in and for the County of Pi-
ma, Territory of Arizona.

The Territory of Arizona, ex rel, Sid-
ney R. DeLong, Edward N. Fish, Juan
Elias, as supervisors of the County of
Pima, Charles Baker, Julius Samter,
H. S. Fitzgerald, as supervisors of the
County of Yuma, Joseph Colling-
wood, L. M. Stiles, Patrick Holland, as
supervisors of the County of Pinal,
James H. Toole, John W. Hopkins,
John Wasson, William C. Davis, Ja-
cob S. Mansfield, inhabitants and electors
of the County of Pima. H. N. Alex-
ander, A. J. Finlay, C. H. Brinley,
J. M. Redondo, W. J. Berry, David
Balz, inhabitants and electors of the
County of Yuma, vs. George D. Ken-
dall, Henry W. Fleury, Fred Williams,
as supervisors of the County of Yava-
pai, and John P. Hoyt, as Sec-
retary of the Territory of Arizona.

The plaintiff by the relators com-
plains of the defendants and alleges:

1. That the relators, Sidney R. DeLong,
Edward N. Fish and Juan Elias, are,
and on, and since the first Monday in
April, 1876, were and have been the
supervisors of and composing the
board of supervisors of the County of
Pima in the Territory of Arizona.

2. That the relators, Charles Baker,
Julius Samter and H. S. Fitzgerald, are,
and on, and since the first Monday in
April, 1876, were and have been the
supervisors of and composing the
board of supervisors of the County of
Yuma, in the said Territory of Ariz-
ona.

3. That the relators, Joseph Col-
lingwood, M. L. Stiles and Patrick
Holland, are, and on, and since the
first Monday in April, 1876, were, and
have been the supervisors of the Coun-
ty of Pinal in the said Territory of Ariz-
ona.

4. That the relators, James H. Toole,
John W. Hopkins, John Wasson, Wil-
liam C. Davis and Jacob S. Mansfield
are now, and on, and since second
Monday in May, 1876, were and have
been inhabitants and electors of the
said County of Pima.

5. That the relators, H. N. Alexan-
der, A. J. Finlay, C. H. Brinley, J. M.
Redondo, W. J. Berry and David Balz,
are now, and on and since the second
Monday in May, 1876, were and have
been inhabitants and electors of the
said County of Yuma.

6. That the defendants, George D.
Kendall, Henry W. Fleury and Fred
Williams, are now, and on and since
the first Monday in April, 1876, have
been the supervisors of and composing
the board of supervisors of the County
of Yavapai, in said Territory of Ariz-
ona.

7. That John P. Hoyt is, and on and
since the first Monday in July, 1876,
has been the Secretary of the said Ter-
ritory of Arizona.

8. That the said supervisors of Yav-
apai county did forward to said Terri-
torial Secretary what purported to be
a census return of the inhabitants of
said Yavapai county for the year 1876,
(officers and soldiers of the military
service of the United States, excepted,
also all Indians), which said census
return was certified to as being correct
by the said board of supervisors of
Yavapai county, on the third day of
July, 1876.

9. That the remaining counties of
the said Territory by their boards of
supervisors have in accordance with
law, forwarded to said Secretary duly
certified census returns of the inhabi-
tants of their respective counties, offi-
cers, soldiers and Indians excepted as
aforesaid.

10. That on the first Monday in Au-
gust, 1876, said secretary in accord-
ance with law, opened said census re-
turns and found the number of inhabi-
tants of the several counties of the
Territory as made to appear by the
said census returns thus forwarded to
him, to be as follows, to-wit:

Pima, 8,117
Maricopa, 3,702
Pinal, 1,600
Yuma, 2,272
Yavapai, 13,661
Mohave, 825

Making a total of the inhabitants of
the Territory of Arizona 30,114, thus
giving one representative in the Legis-
lative Assembly to every sixteen hun-
dred and seventy-three; and one rep-
resentative in the Council to each thirty-
three hundred and forty-six inhabi-
tants.

11. That the plaintiff is informed
and believes that when the census
taken in said census return of Yava-
pai county was taken the number of
inhabitants of the said County of Yava-
pai did not amount to and has not at
any time since, amounted to thirteen
thousand six hundred and sixty-one,
and did not exceed at the time said
census was taken nor has it any time
since exceeded the number of 3,363,
(excepting officers and soldiers in the
military service of the United States,
also all Indians.)

12. That by said census return of Yavapai county, the following named towns, precincts and localities are made to appear to contain respectively, the number of inhabitants set opposite each name under the heading: "In- habitants by census return," whereas in reality said plaintiff is informed and believes that they do not respect- ively contain more than the number of inhabitants set opposite each name under the heading "Actual number of inhabitants" (excepting officers and soldiers of the military service of the United States, also all Indians,) to-wit:

Names of towns, Precincts and Localities.	Actual No. of Inhabitants by Census return.	Actual No. of Inhabitants by Census return.
Camp Apache	208	50
Round Valley	622	50
St. Johns	455	50
Randallville	190	50
Colorado	288	50
Smith's Mill	287	50
Walnut Grove	58	50
Kirkland Valley	103	50
Agua Fria	232	50
Black Canyon	112	50
Wickenburg	92	50
Walnut Creek	141	50
Oaks and Willows	59	50
Fort Rock	37	50
Anvil Rock	15	50
Hackberry Flat	18	50
Skull Valley	112	40
Prescott	2822	1500
Fort Whipple	62	20
Lynn Creek	326	60
People's Valley	230	60
Granite Creek	325	25
Willow Creek	199	40
Peck District	404	20
Hualapai	142	20
Williamson Valley	592	50
Rio Verde	881	250
Beaver Creek	277	18
Clear Creek	127	35
Tonto Basin	39	60
Mormon	233	60
Sunset Crossing	128	8
Horseshoe	125	40
Chino Valley	125	40
Little Colorado	83	31
Yara Co.	31	25
Leary's Wood	28	7
Turkey Creek	103	30
Mint Valley	90	7
Williams Fork	32	10
Road bet. Colorado and Prescott	60	15
Point of Rocks	29	7
Oak Flat	62	10
Pine Grove	40	10
Pine Flat	27	7
Tonto Springs	39	7
Cedar Springs	47	3
Mountain Spring	23	3
Upper Chino	27	6
Smith's Camp	324	81
Greer's Camp	330	81
Nelson's Camp	296	71
Mineral Springs	85	21
Bardello	16	4
Minnehaha Flat	63	7
Hassayampa	155	30
Noyes' Mill	69	15
Curtis' Mill	32	15
Ash Creek	204	6
Southwest Valley	94	60
Celona	53	5
Owens Ranch	16	4
War Eagle	38	10
Del Pasco	51	10
Scattering	32	3
Bradshaw	11	11
Total	13661	3663

13. That a certain John H. Behan
acted as the census marshal for the
said county of Yavapai, and took the
census of the same for the year A. D.,
1876, at the request of the said board
of supervisors thereof, and made his
return of said census to the clerk of
said board on the third day of July A.
D., 1876.

14. That the aforesaid census return
of Yavapai county, made as aforesaid,
was false and fraudulent as above set
forth, and that the said Behan made
the same knowing it to be false to the
amount as aforesaid to wit: all over
and above 3363 inhabitants, with the
intention of fraudulently securing for
the County of Yavapai an unjust repre-
sentation in the Legislative assembly
of Arizona Territory.

15. That the said Kendall, Fleury
and Williams composing the said
board of supervisors of said Yavapai
county, conspiring with said Behan to
secure for the said County of Yavapai
an unjust apportionment of represen-
tation in the Legislative Assembly of
the Territory of Arizona, did negli-
gently and fraudulently fail to verify
said return as far as lay in their power
and to satisfy themselves of the correct-
ness of the same, and certified to the
correctness of the same without know-
ing it, by such means as lay in their
power, to be correct, and forwarded it
as aforesaid to the said Secretary of
the Territory thus certified as correct.

16. That said Secretary of the Ter-
ritory is about to make an apportion-
ment for members of the House of Rep-
resentatives and for members of the
Council of the Legislative Assembly
of the Territory of Arizona, among the
several Counties, according to their
population as shown by their census
returns of the respective counties for-
warded to him as aforesaid.

17. That the said Secretary misled
by said false and fraudulent census re-
turns of Yavapai county, is about to
apportion to said Yavapai county,
eight members of the House of Repre-
sentatives, and four members of the
Council, whereas by a true and just

census of the inhabitants of said coun-
ty as above set forth, it would not be
entitled to more than three members
in the House of Representatives and
one in the Council.

18. That by the apportionment
made as aforesaid upon said false and
fraudulent census return the County
of Pima will be deprived of two mem-
bers in the said House of Representa-
tives and two members in the said
Council; the County of Yuma will be
deprived of one member in the said
House of Representatives, and the
County of Pinal of one member in the
said House of Representatives, and the
County of Maricopa of one member in
the said House of Representatives and
one member in the said Council.

19. That by the apportionment
made as aforesaid upon said false and
fraudulent census returns, the appor-
tioning of representation to the Coun-
cil and House of Representatives will
not be made according to population
in the several counties of the Terri-
tory.

20. That the said census returns as
the court will perceive on inspection
are obviously illegible, incongru-
ous and suspicious in many parts, con-
taining long lists of names repeated in
different places thereon with little or
no variation, the names of persons
known not to reside in the County of
Yavapai, and many names apparently
simulated for purposes of fraud; and
the said plaintiff by the relators fur-
ther complains and alleges:

I. That they, the relators are advis-
ed and on behalf of the plaintiff do
charge the fact to be that the said Ter-
ritorial Secretary, the said Hoyt, as-
sumes to act and to declare the ap-
portionment of representation for
members of the House of Representa-
tives and for members of the Council
of the Legislative Assembly of the
Territory of Arizona, [as heretofore
set forth in section or paragraph num-
ber seventeen,] by virtue of a pretend-
ed section number nine of an act of
the Legislative Assembly of said Terri-
tory approved February 12, A. D. 1875,
entitled, "An Act to provide for the
taking of the census of and in the
said Territory of Arizona, and in the
said counties of the Territory of
"Arizona," that by said pretended
section alone said Secretary assumes
and claims and intends further to act
in the premises; and that said pretend-
ed section nine is wholly against the
statutes of the United States and the
laws of the Territory of Arizona, and
is in utter and direct violation of the
same, and is of no valid force or effect
so as to authorize or empower said Sec-
retary to declare an apportionment of
representation for members of the
House of Representatives and of the
Council of the Legislative Assembly of
the Territory of Arizona, and to this
extent wholly void in this, that said
pretended section nine attempts to give
to and confer on said Territorial Sec-
retary, a power which by the laws of
the Congress of the United States, is
vested in the Legislative Assembly of
the Territory of Arizona, to-wit: the
power of apportioning representation
among the several counties of the Terri-
tory, which power the said legisla-
ture could not delegate.

II. That if said defendant Hoyt is
permitted to make said apportionment
as aforesaid, the plaintiff will suffer
great, serious and irreparable injury
and loss in this, that an illegal, void
and unjust apportionment of represen-
tation will be made and several coun-
ties of said Territory deprived as here-
tofore set forth in sections or para-
graphs nineteen and twenty; wherefore
plaintiff prays judgement.

1. That the said census return be
suppressed as fraudulent and void or
be reformed so as to conform in num-
bers to the actual number of inhabi-
tants of said county of Yavapai.

2. That the said Territorial Secre-
tary, the said Hoyt, be enjoined from
apportioning representation in the Leg-
islative Assembly for the several coun-
ties of said Territory.

3. That a citation be issued to the
said defendants commanding them, on
a day and at a time and place certain,
to appear and show cause why the said
census return should not be suppressed
for fraud or modified according to the
actual population as above stated, if
they are able to show whether and
how the same can be done according
to law.

4. And that such other orders and
decrees interlocutory and final may be
made herein as to equity may pertain,
and that such other and further relief
as is proper may be granted.

5. For the plaintiff's costs and dis-
bursements in this proceeding.

Farley & Pomroy, Attorneys. John
Titus Attorney.

On filing the foregoing complaint,
let the defendants show cause before
me at my chambers in the court-house
in Tucson, Pima county, Arizona Ter-
ritory, on the 27th day of September
A. D. 1876, at 10 o'clock a. m. of said
day, why an injunction should not be
granted restraining the defendant, J.
P. Hoyt, Secretary of Arizona Terri-
tory, from making an apportionment
of representation for members of the

House of Representatives and mem-
bers of the Council of the Legislative
Assembly of the Territory of Arizona,
upon the census of the inhabitants of
said Territory, for the year, A. D.,
1876, and for such other or further re-
lief as may be just.

It is further ordered that said de-
fendant Hoyt, his agents, and servants
be in the meantime restrained and be
herby forbidden to suffer or commit
any of said acts until the further order
of the court.

C. G. W. FRENCH,
Judge First Judicial District, A. T.
Tucson, August 17, 1876.

Yavapai Census as Returned by the Marshal.

For the information of the people
generally in Yavapai county, we give
the following names (as nearly correct
as the indistinct orthography will en-
able any one to ascertain them,) of lo-
calities, and the number of inhabi-
tants set opposite each, as shown on the
census roll of Yavapai and certified as
correct by the board of supervisors;
and will say that the more carefully
the names on the roll are examined,
the more evident does it appear that
they are largely fictitious or taken
from a directory. Judge Alsop of
Maricopa county, admitted to us that
his county was not altogether satisfied,
and expressed his belief that all over
10,000, was above the true number;
to Judge Titus, his statement was that all
above 8,000 or 10,000, was an excess,
and to Mr. Ewing he mentioned all
above 8,000 as being in excess of the
actual number. But the Judge was in
Prescott during an exciting lawsuit,
when a large number of names and
others not residents were in that town,
and he evidently was impressed that
there were many more people than
there were in fact; yet he admits his
belief that some thousands too many
are on the Yavapai census roll. But
it is this list to which we desire to call
particular attention of the people of
the county in general:

Camp Apache	208
Round Valley	622
St. Johns	455
Randallville	190
Colorado	288
Smith's Mill	287
Walnut Grove	58
Kirkland Valley	103
Agua Fria	232
Black Canyon	112
Wickenburg	92
Walnut Creek	141
Oaks and Willows	59
Fort Rock	37
Anvil Rock	15
Hackberry Flat	18
Skull Valley	112
Prescott	2822
Fort Whipple	62
Lynn Creek	326
People's Valley	230
Granite Creek	325
Willow Creek	199
Peck District	404
Hualapai	142
Williamson Valley	592
Rio Verde	881
Beaver Creek	277
Clear Creek	127
Tonto Basin	39
Mormon	233
Sunset Crossing	128
Horseshoe	125
Chino Valley	125
Little Colorado	83
Yara Co.	31
Leary's Wood	28
Turkey Creek	103
Mint Valley	90
Williams Fork	32
Road bet. Colorado and Prescott	60
Point of Rocks	29
Oak Flat	62
Pine Grove	40
Pine Flat	27
Tonto Springs	39
Cedar Springs	47
Mountain Spring	23
Upper Chino	27
Smith's Camp	324
Greer's Camp	330
Nelson's Camp	296
Mineral Springs	85
Bardello	16
Minnehaha Flat	63
Hassayampa	155
Noyes' Mill	69
Curtis' Mill	32
Ash Creek	204
Southwest Valley	94
Celona	53
Owens Ranch	16
War Eagle	38
Del Pasco	51
Scattering	32
Bradshaw	11

PHILADELPHIA, August 26.—The Pacific
Mail steamer Colon, which sailed
hence on 18th for Aspinwall, burst one
of her boilers when two days out. An
engineer and fireman were killed and
the engine made a total wreck. There
was great excitement among the pas-
sengers, who at the time of the acci-
dent, were assembled at Sunday morn-
ing religious services in the cabin.
Steamer returned to port today.

NEW YORK, August 26.—The Pacific
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dent, were assembled at Sunday morn-
ing religious services in the cabin.
Steamer returned to port today.

LONDON, August 26.—The London
gram to Times says it is almost cer-
tain that the war is about at an end.
The Servians are ignorant that their
government is suing for peace. News
of Schemayoff's victory is spreading
like fire and there is a great rejoicing
over the successes. At this time it is
unfortunate as it will be made use of
by the war party but may help Servia
to secure better terms.

NEW SPECIES OF SHEEP.—From the
Peruvian Andes some specimens of
sheep have been received in England,
being representatives of two rare and
distinct breeds. The Agricultural Ga-
zette (England) furnishes the following
particulars respecting them: "The
first are two fine white-wooled sheep,
each having four long, massive horns,
two of which have a forward curve over
the head, while the other two curve
downward, under the eyes, giving the
head a singular but handsome appear-
ance. These are brought from Peru by
M. J. L. Watts, of Whitley, near De-
vizes, who discovered them during his
recent travels in the Andes mountains,
at an elevation of some 8,000 or 9,000
feet above the level of the sea, and they
are reported to be very hardy. The
second set much resembles the alpaca
and the vicuña, and they are thickly covered
with long, dark brown, but exceedingly
fine hair or wool, which is highly prized
by the native Indians for the manufac-
ture of their more delicate fabrics. The
male stands about three feet high at the
shoulders. Their peculiarly formed
heads, long necks, large, shaggy legs,
and general character, will insure them
a large share of attention. These also
are from the Peruvian Andes, and in-
habit the highest and most exposed situ-
ations, and were imported by Anthony
Gibbs, of London."

THE NEW YORK HERALD has as-
signed President Grant as viciously
and continuously as any paper in the
land, but the more the President's con-
duct is investigated the better it ap-
pears, and The Herald of August 9,
contains this item in point:

The history of the celebrated phrase,
"Let no guilty person escape," as told
by Buford Wilson under the pressure
of cross-examination, is very much to
the credit of the President. It shows
that he meant General Babcock. It
shows that he challenged investigation
into those who were nearest to him.
Somehow, whenever the record of the
President, so far as personal honesty is
concerned, goes into the crucible of in-
vestigation, the result makes us more
proud of the man who, whatever his
faults, will live in our history as one
of its most illustrious figures.

PAY INSPECTOR Rufus C. Spalding, of
San Francisco, has been found guilty
of neglect of duty and conduct unbecom-
ing an officer, and dismissed the
service.

TELEGRAPHIC NEWS.

Special Dispatches to THE CITIZEN, by
United States Telegraph Line.

PACIFIC COAST MATTERS.

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